

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE:
Michelle C Taylor
Debtor(s)

BCN#: 17-34844-KLP
Chapter: 13

NOTICE OF MOTION (OR OBJECTION)

U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-5, Home Equity Pass-Through Certificates, Series 2005-5 has filed papers with the court objecting to the confirmation of the proposed Chapter 13 plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the Objection, or if you want the court to consider your views on the Objection, then on or before November 16, 2017, you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

U.S. Bankruptcy Court
701 East Broad Street,
Suite 4000
Richmond, VA 23219

You must also send a copy to:

Gregory N. Britto, Esquire
Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Mary F. Balthasar Lake, Esquire
Leonard C. Tengco, Esquire
SHAPIRO & BROWN, LLP
501 Independence Parkway, Suite 203
Chesapeake, Virginia 23320
(703) 449-5800

- Attend a hearing to be scheduled on 12/06/2017, 09:10 AM, Judge Phillips' Courtroom, 701 E. Broad St., Rm. 5100, Richmond, Virginia. If no timely

response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Dated: November 1, 2017

SHAPIRO & BROWN, LLP

Attorneys for U.S. Bank National Association, as Trustee
for Credit Suisse First Boston Mortgage Securities Corp.,
Home Equity Asset Trust 2005-5, Home Equity Pass-
Through Certificates, Series 2005-5

By: /s/ Mary F. Balthasar Lake

Gregory N. Britto, Esquire

VSB #23476

Malcolm B. Savage, III, Esquire

VSB #91050

William M. Savage, Esquire

VSB #26155

Thomas J. Gartner, Esquire

VSB #79340

Mary F. Balthasar Lake, Esquire

VSB #34899

Leonard C. Tengco, Esquire

VSB #76395

SHAPIRO & BROWN, LLP

501 Independence Parkway, Suite 203

Chesapeake, Virginia 23320

(703) 449-5800

CERTIFICATE OF SERVICE

I certify that I have this 1st day of November, 2017, electronically transmitted and/or mailed by first class mail, postage pre-paid or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the following:

Pia J. North
North Law
5913 Harbour Park Drive
Midlothian, VA 23112

Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780

Michelle C Taylor
5701 BARNWOOD DRIVE
Richmond, VA 23234

Mary F. Balthasar Lake

Gregory N. Britto, Esquire
Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Mary F. Balthasar Lake, Esquire
Leonard C. Tengco, Esquire

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Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Mary F. Balthasar Lake, Esquire
Leonard C. Tengco, Esquire
Shapiro & Brown, LLP Attorney for
Wells Fargo Bank, N.A.
501 Independence Parkway, Suite 203
Chesapeake, Virginia 23320
(703) 449-5800 13-235142

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

IN RE:
Michelle C Taylor
Debtor(s)

BCN#: 17-34844-KLP
Chapter: 13

OBJECTION OF U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT
SUISSE FIRST BOSTON MORTGAGE SECURITIES CORP., HOME EQUITY ASSET
TRUST 2005-5, HOME EQUITY PASS-THROUGH CERTIFICATES, SERIES 2005-5
TO PROPOSED CHAPTER 13 PLAN AND
CONFIRMATION THEREOF

U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-5, Home Equity Pass-Through Certificates, Series 2005-5, and its assignees and/or successors in interest, a secured creditor in the above-entitled Bankruptcy proceeding, hereby submits the following objections to the confirmation of the Chapter 13 Plan proposed by Debtor:

1. This objecting secured creditor is the beneficiary of a trust deed on property commonly known as 5701 BARNWOOD DRIVE, Richmond, VA 23234; the promissory note and deed of trust were attached to the proof of claim filed by the secured creditor.

2. The debtor is due for Principal and interest in the amount of \$75,940.28, Prepetition fees in the amount of \$6,366.39, an Escrow deficiency for funds advanced in the amount of \$17,460.00, and a Projected escrow shortage in the amount of \$1,367.56.

3. The proposed Plan does not set forth a reasonable schedule and time period for the payment of arrearages on the deed of trust.

4. The proposed Chapter 13 plan does not provide this objecting secured creditor with adequate protection or adequate security, according to Sections 362 and 1325(a) of the Code.

5. The Plan does not propose to pay the secured creditor's entire claim as shown in its proof of claim in the amount of \$101,134.23.

/s/ Mary F. Balthasar Lake

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CONCLUSION

Any Chapter 13 Plan proposed by Debtors must provide for and eliminate the objections specified above in order to be feasible and to provide adequate protection to this objecting secured creditor. It is respectfully requested that confirmation of the Chapter 13 Plan as proposed by Debtor be denied.

WHEREFORE, secured creditor prays as follows:

1. That confirmation of the proposed Chapter 13 Plan be denied.
2. For attorney's fees and costs incurred herein.
3. That a hearing be held December 6, 2017, at 9:10 am at Judge Phillips' Courtroom, 701 E. Broad St., Rm. 5100, Richmond, Virginia. on this objection.
4. For such other relief as this Court deems proper.

Dated: November 1, 2017

Respectfully submitted
U.S. Bank National Association, as Trustee for Credit
Suisse First Boston Mortgage Securities Corp., Home
Equity Asset Trust 2005-5, Home Equity Pass-Through
Certificates, Series 2005-5
By Counsel:

/s/ Mary F. Balthasar
Gregory N. Britto, Esquire
Malcolm B. Savage, III, Esquire
William M. Savage, Esquire
Mary F. Balthasar Lake, Esquire
Leonard C. Tengco, Esquire
Shapiro & Brown, LLP
501 Independence Parkway, Suite 203
Chesapeake, Virginia 23320
(703) 449-5800

I certify that I have electronically transmitted and/or mailed true copies of the above Objections to the Chapter 13 Plan, by First Class Mail, postage prepaid on this 1st day of November, 2017 to the following:

Pia J. North
North Law
5913 Harbour Park Drive
Midlothian, VA 23112

Suzanne E. Wade
P.O. Box 1780
Richmond, VA 23218-1780

Michelle C Taylor
5701 BARNWOOD DRIVE
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/s/ Mary F. Balthasar Lake
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